

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, August 3, 1999
Tuesday, 9:03 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Gale, Lambke, Martz, Pisciotte, Rogers; present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

The invocation was given by Rev. Geniese Stanford, St. Luke's United Methodist Church.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -approved

The minutes of the regular meeting of ,July 27,1999, were approved 7 to 0.

AWARDS AND PRESENTATIONS

WICHITA'S PROMISE

Youth Community Service Awards were presented to Wichita's Promise Youth present.

SERVICE CITATIONS

Distinguished Service Citations were presented.

PROCLAMATIONS

Proclamations that were previously approved were presented.

PRESENTATION

The Red Cross was presented a check for \$1,200 from donations to the tornado damage wood chip operation

OFF AGENDA ITEMAPPOINTMENT TO HARVEY COUNTY AD HOC COMMITTEE.

Motion --
-- carried

Rogers moved that Jack Brown be appointed as a committee member of the Harvey County Ad Hoc Committee.
Motion carried 7 to 0.

UNFINISHED BUSINESS

PAVE BRENTWOOD

PETITION TO PAVE BRENTWOOD, FROM CLARK TO MERIDIAN. (District III)
Continued from July 20, 1999.

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 99-702 A.

On May 4, 1999, the City Council considered a Petition to pave Brentwood, from Clark to Mt. Vernon. The improvement district consisted of abutting properties and was to be assessed on a front foot basis. The Council rejected the Petition and asked the project supporters to circulate a new Petition with an expanded assessment district using the square foot assessment method.

The new Petition has been submitted. The signatures on the Petition represent 11 of 19 (57.9%) resident owners of 67.1% of the improvement district area. CPO Council 3 considered it on June 24, 1999. The Council voted 5-1 to recommend approval.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 41

Brentwood, south of Mt. Vernon, is a sand road that provides access to an area that is comprised of single-family homes.

The estimated cost of the project is \$55,000 with the total assessed to the improvement district. The proposed method of assessment is the square foot basis. The estimated assessment rate is \$00.32 per square foot of ownership.

Council Member Lambke Council Member Lambke said he had met five times with area residents who have agreed that a cap of not more than 12 percent should be put on the costs of the project.

Mike Lindebak City Engineer explained the State regulations for assessments.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard.

Hoyt Hillman Hoyt Hillman, 3705 East Mt. Vernon said 68 percent of those being assessed are opposed to the project and the way it is set up. The proposed paving assessments would result in 71 percent of the assessment being made on properties without driveways or access to the street.

Mr. Hillman requested a more equitable assessment.

Diane Cline Diane Cline spoke in favor of paving the road. The original petition was turned down and the City Council recommended an expanded petition. Now, other changes are being requested.

Ms. Cline said she would like to have a paved street. Ms. Cline said she would pay additional costs above 12 percent after January of 2000.

Jeff Spahn Jeff Spahn spoke in favor of a 12 percent cost cap on the project.

Motion -- Lambke moved that the Petition and Resolutions, as modified, be adopted; that the Resolution include a limit of cost escalation to a maximum of 12 months at 1 percent per month; and the Staff Screening & Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.
-- carried

RESOLUTION NO. R-99-291

A Resolution of findings of advisability and Resolution authorizing improving of Brentwood from the north line of Clark to the south line of Mt. Vernon, Project No. 472-83100, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Lambke moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

NEW BUSINESS

IRB-RITCHIE

PUBLIC HEARING AND EXTENSION OF IRB LETTER OF INTENT – RITCHIE COMPANIES. (District V)

Allen Bell Financial Projects Director reviewed the Item.

Agenda Report No. 99-730.

On August 4, 1998, City Council approved a six month Letter of Intent to issue Industrial Revenue Bonds ("IRB") in an amount not to exceed \$3,600,000 to Ritchie Companies, Inc. Bond proceeds will be used to acquire, construct, and equip a new corporate headquarters facility located at 2872 N. Ridge Road in northwest Wichita. Ritchie Companies, Inc. also received a 100% tax abatement for a five-year period plus a second five years based on Council review. The initial six-month term for the Letter of Intent expired on February 4, 1999. A reinstatement and extension of the Letter of Intent was granted on February 9, 1999 for a six-month term. The Letter of Intent will expire on August 9, 1999. Ritchie now requests an additional extension of the Letter of intent for a six-month period, expiring February 3, 2000.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 42

The Issuance of IRBs to finance the construction of the Ritchie Companies corporate headquarters has been delayed due to ongoing negotiations over financing terms. The IRBs are now scheduled to be issued by the end of August, 1999. An additional six-month extension will provide ample time for continuing negotiations.

There are no financial considerations resulting from extension of the original Letter of Intent.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --
-- carried

Knight moved that the public hearing be closed; a six-month extension be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

2000-2001 BUDGET

PUBLIC COMMENT ON PROPOSED 2000-2001 ANNUAL OPERATING BUDGET.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Dr. Beggs

Dr. Beggs, Wichita State University, said the Board of Trustees and the University will honor the intent of the mill levy. Dr. Beggs also stressed the importance of working with the City of Wichita for the benefit of the City and Wichita State University.

Mike Oatman

Mike Oatman, President of the Wichita State University Board of Trustees, thanked the City for allowing Wichita State University to participate in the budget process.

Bob Stout

Bob Stout, Executive Director with the Crime Commission, said the Mounted Police Program is very important to the City of Wichita. The Mounted Police services scores of assignments throughout the year.

The unit receives annual contributions from various businesses it serves. The services are provided to the community with positive interaction at various events.

The horses are stabled at no cost to the City. At the present, the horses occupy a small portion of the Furley land site. The buildings and fences need to be repaired. Water easement. The only restroom is a port-a-pot. New restrooms and washroom facilities are needed.

The cost of improvements would be approximately \$49,000. It is hoped that the Council can be convinced of the value of operations and that the City of Wichita will pick up the costs.

Janet Gutag

Janet Gutag, Friends of Mounted Police, spoke of concern regarding the facilities and the utilization of the Mounted Police.

The City has parks that could use the Mounted Police. Old Town could again use the service.

The ability to raise funds is directly connected to the exposure of the group. Backing of the City Council and the Police Department is needed.

The Friends of Mounted Police voted that, if the City of Wichita does not back the unit, the Friends will step down.

Dave Carter

Dave Carter, representing Wichita Festivals, spoke on behalf of the Mounted Patrol.

The Mounted Patrol provides security and is a vital part of what the River Festival is about. Community relations is a bonus from the Mounted Patrol.

Mr. Carter asked that a modest part of funding for public safety be earmarked for the Mounted Patrol.

Harold Schlechtweg

Harold Schlechtweg, representing the Service Employees Union, said City of Wichita policies, in contracting with the private sector companies, need to be looked at. City contractors should remain required to provide health insurance to all employees.

Blue Cross/Blue Shield insurance is proposing a 10 percent increase for employees. From 1997 to 2000, the costs to employees has increased by 32 percent.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 43

Two years ago, the WER Board worked on increased benefits to Plan 2. It is now possible to enhance the benefits. Mr. Schlechtweg asked that the City Manager and Finance Department use their influence to expedite the proposal to increase the benefits.

Mayor Knight

Mayor Knight said a Task Force restructured public safety in the community and that he had pledged, with rethought of public safety, to support the proposal. The City Council unanimously supported the Public Safety Initiative and made a tremendous financial commitment requiring \$4 million additional for this year over last year's budget.

Statistics are going in the right direction. The Mounted Patrol are important but not an issue. The Police Chief should be convinced to include the Patrol in the Police Department priorities.

The surplus has to be watched at a time when Federal grants are dropping off. There are currently sufficient resources and the Police Chief should set the priorities.

Council Member Rogers momentarily absent.

Council Member Pisciotte

Council Member Pisciotte said the Mounted Patrol is symbolic of safety.

The Police Chief should be involved in discussions. It is hoped there might be a way to fix the facilities at Furley.

Council Member Rogers

Council Member Rogers said the Mounted Patrol does and can perform additional services in an ancillary way. There is a tremendous expenditure in public safety and the Mounted Patrol has to go through the Police Department.

Additional things can be done if it can be worked out. The services provided are valuable. The Mounted Patrol should deal with the Police Chief.

Council Member Rogers inquired whether the City can develop a police requiring that contractors provide health care to employees.

Gary Rebenstorf

Director of Law responded that he would research the matter.

Council Member Rogers

Council Member Rogers asked for information regarding the City's increase in health care costs during the same period of time in which the employees incurred the 32 percent increase.

Council Member Cole

Council Member Cole requested information on what the City does, in addition to paying salaries, for the Mounted Patrol.

Regarding health insurance, Council Member Cole said there are now between 44 to 45 million people in the United States without health insurance. Part time employees keep employers from having to provide health insurance. These people then turn to Medicaid for health care.

There was no further action taken on this Item.

CITY COUNCIL AGENDA

BOARD APPOINTMENTSBOARD/COMMISSION APPOINTMENTS.

Motion --

-- carried

Lambke reappointed Willa De Castro to the Board of Housing Commissioners and moved that the appointment be approved. Motion carried 7 to 0.

Motion --

--carried

Knight reappointed Cindy Burback to the Board of Health and moved the appointment be approved. Motion carried 7 to 0.

CPO APPOINTMENT

APPOINTMENT TO THE CPO NORTHWEST NEIGHBORHOOD COUNCIL. (District V)

Ron Jacobson, 444 South Wetmore Drive (09), was nominated by the CPO Northwest Neighborhood Council 5 to fill a vacancy in subdistrict 5.3.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 44

Motion -- carried Martz appointed Ron Jacobson CPO 5.3 and moved that the appointment be approved. Motion carried 7 to 0.

TRAVEL APPROVAL COUNCIL MEMBERS' TRAVEL TO LOS ANGELES, CALIFORNIA, NOVEMBER 30-DECEMBER 4, 1999, FOR NATIONAL LEAGUE OF CITIES 1999 CONGRESS OF CITIES.

Motion --carried Knight moved that the travel expenditures be approved. Motion carried 7 to 0.

CONSENT AGENDA

Motion -- Knight moved that the Consent Agenda, except Items 17a and 24, be approved in accordance with the
-- carried recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS REPORT OF THE BOARD OF BIDS AND CONTRACTS AUGUST 2, 1999:

At 10:00 a.m. Friday, July 30, 1999, pursuant to advertisements published, bids were received, publicly opened, read aloud, and tabulated for the Board of Bids and Contracts.

1999 sewer reconstruct program Phase 4 - north of 13th Street North, east of Hydraulic. (468-83007/620266/669388) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (District I)

Wildcat Construction – \$588,378.00

Paving College Hill School parking/loading bay to serve College Hill Addition - First Street, east of Hillside. (472-83075/710211/410073) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 11/10/98. (District II)

McFadden Construction – \$26,215.00 (Corrected total)

Paving Parkridge from the north line of Pawnee, north to the south line of Lotus; Blake and Cardington from the east line of Parkridge, east and south to north line of Pawnee; Haskell from the east line of Parkridge east to the northwest line of Lot 1, Block 12, Pawnee Mesa Addition, and; sidewalk along both sides of Parkridge, from the north line of Pawnee, north to Lotus; on one side of Blake and Cardington, from the north line of Pawnee to the east line of Parkridge; and on one side of Haskell, from the northwest line of Lot 1, Block 12, Pawnee Mesa Addition to the east line of Parkridge, Hunters Ridge and Pawnee Mesa Additions - north of Pawnee, west of Maize. (472-83088/765577/490688) Does not affect existing traffic. City Council approval date: 3/25/99. (District V)

Cornejo & Sons Construction - \$265,018.00

Paving Illinois Circle, from the north line of 31st Street South, north to and including the cul-de-sac, Janzen Second Addition - north of 31st Street South. (472-83106/765585/490696) Does not affect existing traffic. City Council approval date: 6/8/99. (District IV)

Asphalt Construction Company - \$26,770.00

Water supply line to serve Chapel Hill and Dillon 12th Additions - north of 13th, east of Greenwich. (448-89173/734920/470590) Traffic to be maintained during construction. City Council approval date: 7/15/97. (District II); AND Water supply line to serve Balthrop Addition - along Greenwich and 13th Street. (448-89023/734921/470591) Traffic to be maintained through construction. City Council approval date: 3/19/96. (District II)

KC Excavating - \$208,254.00 (Aggregate total)

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 45

Paving Broadway, Dewey to William. (87STP-N-0061-01/472-82412/705863/405140) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 3/2/99. (District I)

Ritchie Paving - \$1,615,514.30

Paving 25th Street North Bridge over West Branch Chisholm Creek. (BRN/STP-N008(901)/472-83068/715674/248082) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date 6/2/98. (District VI)

Dondlinger & Sons – \$551,526.87 (Corrected total)

Paving McLean Boulevard from Taft to Walnut, Phase IV – Sodding. (472-82586/ 706168/405170) Does not affect existing traffic. City Council approval date: 6/18/96. (District IV)

Seeders - \$101,140.00 (Negotiated to engineer's estimate)

1999 sanitary sewer rehabilitation program - Phase D. (468-83006/620265/ 669390) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (District I)

U-Liner Mid-America, Inc. – \$97,766.25

Paving Shadow Lakes from the east line of Tyler to the west line of Pepper Ridge; High Point/Shady Lane from the south line of Shadow Lakes to the west line of Pepper Ridge; High Point Court from the west line of High Point to and including the cul-de-sac, serving Lots 26, 27 and 28, Block 1, and; sidewalks be constructed on the south side of Shadow Lakes from Tyler to the west line of Pepper Ridge, and constructed on the east and north sides of High Point/Shady Lane from the south line of Shadow Lakes to the west line of Pepper Ridge to serve Oak Ridge Second Addition - north of 29th Street North, east of Tyler. (472-82833/765581/490692) Does not affect existing traffic. City Council approval date: 7/15/97. (District V)

Asphalt Construction Company - \$167,941.40

Paving west half of Lark from the south line of Park Glen Addition to the south line of Grand, and concrete sidewalk on the west side of Lark - north of Pawnee, west of Lark. Park Glen Addition and; Lark from the north line of Pawnee to the north line of Lot 7, Block 5 - north of Pawnee, west of Maize. Prairie Woods Second Addition. (472-82276 & 472-82936/764985 & 764977/490600 & 490599) Lark will be closed during construction. City Council approval date: 9/24/92,4/14/98. (District V)

Asphalt Construction Company - \$149,467.00

Drainage Canal improvements; south of Douglas to 10th Street - Wichita Drainage Canal, north of Kellogg. (468-82950/660779/868526) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/8/98. (District I)

Wildcat Construction - \$4,722,161.00

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate.

PARK DEPARTMENT/PARK RECREATION DIVISION: Six Foot Concrete Pathway at Kiwanis Park, Second Street and Doris. (785741)

Barkley Construction - \$23,826.00 (Total base bid)

WATER & SEWER DEPARTMENT/SEWAGE TREATMENT DIVISION: Liquid Waste Solidification and Disposal of Non-Hazardous Liquid Waste. (184754)

Reddi Root'r of Wichita, Inc. - \$.039 (Item 1/cost per pound)
\$150.00 (Item 2/cost per load)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Furnish and Install Carpeting at City Hall. (130500)

Star Lumber - \$31.00 (Item 1/per square yard)
\$31.00 (Item 2/per square yard)
\$31.00 (Item 3/per square yard)
\$31.00 (Item 4/per square yard)
\$25.00 (Item 5/per square yard)
\$36.00 (Item 6/per square yard)
\$ 6.35 (Item 7/per square yard)
\$25.00 (Item 8/Option 1/per hour-per man)

FIRE DEPARTMENT/FIRE MAINTENANCE DIVISION: Firefighter Protective Clothing. (070136)

Danko Emergency Equipment Co. - \$58,086.00* (Group I/total net bid)
\$ 6,970.50 (Group II/total net bid)
\$ 2,115.00 (Group III/total net bid)
\$ 5,370.00 (Group IV/total net bid)
\$ 698.00 (Group V/total net bid)
\$ 555.50 (Group VI/total net bid)

*Add \$1009.40 for optional additional coat padding; and add \$350.00 for optional additional pant knee padding

HUMAN SERVICES DEPARTMENT/WICHITA HOUSING AUTHORITY DIVISION: Bathtub Replacement & Bathroom Renovations for Various Sites. (127803)

McFadden Construction Co. Inc. - \$17,500.00 (Group I/total net bid)
\$20,000.00 (Group II/total net bid)
\$17,500.00 (Group III/total net bid)
\$22,500.00 (Group IV/total net bid)
\$20,000.00 (Group V/total net bid)

Williamson Construction Inc. - \$20,251.76 (Group VI/total net bid)

HUMAN SERVICES DEPARTMENT/WICHITA HOUSING AUTHORITY DIVISION: Fence Removal, Concrete Fence Installation, Concrete Improvements and Miscellaneous Renovations. (127803)

Baker Construction - \$57,074.40 (Total net bid)

HUMAN SERVICES DEPARTMENT/WICHITA HOUSING AUTHORITY DIVISION: Roof Removal and Replacement at Various Sites. (127803)

Larry Booze Roofing Inc. - \$28,981.87 (Group I/total net bid)
\$18,818.94 (Group II/total net bid)
\$22,191.12 (Group III/total net bid)

HUMAN SERVICES DEPARTMENT/WICHITA HOUSING AUTHORITY DIVISION: Hot Water Supply System. (127803)

Piping & Equipment Co., Inc. - \$38,883.00 (Total net bid)

POLICE DEPARTMENT/SPECIAL OPERATIONS DIVISION: Intoxilyzer. (600528)

CMI Inc. - \$11,910.00 (Total net bid)

POLICE DEPARTMENT/N/A DIVISION: Code 3 Lightbar Conversion Kits. (600528)

Baysinger Police Supply - \$11,992.50

WATER & SEWER DEPARTMENT/WATER DISTRIBUTION DIVISION: Fire Hydrants. (188441)

U.S. Pipe & Foundry - \$24,086.50 (Plus applicable sales tax)

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 47

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

LICENSES

APPLICATION FOR LICENSE FOR ADULT ENTERTAINMENT ESTABLISHMENTS/SERVICES.

Renewal - Adult Entertainment

1999

Valerie Washington

Xcitement Video

220 East 21st Street

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

Renewal

1999

(Consumption on Premises)

Gary L. Batenhorst

Godfather's Pizza, Inc.*

2106 Amidon Street

New Operator

1999

(Consumption off Premises)

Gloria N. Torres

Central Food Mart

1419 ½ East Central

New Establishment

1999

(Consumption on Premises)

Mark T. Ryan

Ryan Boys L.L.C. dba
Bovine & Swines BBQ Co.*

300 South Greenwich Road, Lot 21

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

Motion -- carried

Knight moved that the licenses be approved subject to staff approval. Motion carried 7 to 0.

PLANS AND SPES.

PLANS AND SPECIFICATIONS:

- a. Patterson from Broadway to the east line of Henry Jones Addition to serve Bromilow's South Broadway Addition and Unplatted Tracts - west of Broadway. (472-82851/764381/490541). Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 6/10/97. (District III)
- b. Lateral 159, Sanitary Sewer No. 22 to serve unplatted tracts - south of Patterson, west of Broadway. (468-82863/743633/480454). Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 8/18/98. (District III)
- c. Forestview, from the west line of Angela to 294 feet east of Angela including Forestview Court and Forestview Circle and Angela from the south line of Forest view to 165 feet south of Forestview to serve Rainbow Lakes West Third Addition - north of Maple, east of 135th Street East. (472-83022/765565 /490676). Does not affect existing traffic. City Council approval date: 2/9/99. (District V)
- d. Water Distribution System to serve Rainbow Lakes West Third Addition - north of Maple, east of 135th Street East. (448-89321/734911/470581). Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 2/9/99 (District V)

Motion --

-- carried

Knight moved that the plans and specifications be approved and advertised for bids to be submitted to the Board of Bids and Contracts by August 13, 1999, 10:00 a.m.. Motion carried 7 to 0.

SUBDIVISION PLANS AND SPECIFICATIONS:

- a. Water Distribution System to serve Forest Lakes West Addition - north of 29th, east of Tyler. (448-89203/734927/470597). Does not affect existing traffic. City Council approval date: 9/23/97. (District V)
- b. Lateral 382, Southwest Interceptor Sewer to serve Forest Lakes West Addition - north of 29th, east of Tyler. (468-82769/743799/480487). Does not affect existing traffic. City Council approval date: 9/23/97. (District V)

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 48

- c. Sunnyside from the east line of Chautauqua to the west line of Lorraine; Lorraine, from the north line of Orme to the north line of Sunnyside to serve Sunnyside Village Addition - north of Orme, west of Lorraine. (472-83081/765569/490680). Traffic to be maintained on Chautauqua and Orme during construction using flagpersons and barricades. City Council approval date: 2/23/99. (District I)
- d. Traffic signal to serve the intersection of Anna and Maple, Towne West Square Second and Jenkins Fourth Additions. (472-83130/710214/410076) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 7/13/99. (District IV)

Motion --
-- carried

Knight moved that the plans and specifications be approved and advertised for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m. August 13, 1999. Motion carried 7 to 0.

PRELIMINARY EST.

PRELIMINARY ESTIMATES:

- a. 25th Street North Bridge over West Branch Chisholm Creek (BRN/STP-N008(901)/472-83068/715674/248082). Traffic to be maintained during construction using flagpersons and barricades. City Council approval date 6/2/98. (District VI). \$635,195.90.
- b. Broadway, Dewey to William (87STP-N-0061-01/472-82412/705863/405140) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 3/2/99. (District I) - \$1,898,167.64.
- c. 1999 Sewer Reconstruct Program Phase 4 - north of 13th Street North, east of Hydraulic. (468-83007/620266/669388) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (District I) - \$769,550.00
- d. College Hill School Parking/Loading Bay to serve College Hill Addition - First Street, east of Hillside. (472-83075/710211/410073) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 11/10/98. (District II) - \$32,000.00
- e. Parkridge from the north line of Pawnee, north to the south line of Lotus; Blake and Cardington from the east line of Parkridge, east and south to north line of Pawnee; Haskell from the east line of Parkridge east to the northwest line of Lot 1, Block 12, Pawnee Mesa Addition, and; sidewalk along both sides of Parkridge, from the north line of Pawnee, north to Lotus; on one side of Blake and Cardington, from the north line of Pawnee to the east line of Parkridge; and on one side of Haskell, from the northwest line of Lot 1, Block 12, Pawnee Mesa Addition to the east line of Parkridge, Hunters Ridge and Pawnee Mesa Additions - north of Pawnee, west of Maize. (472-83088/765577/490688) Does not affect existing traffic. City Council approval date: 3/25/99. (District V) - \$384,000.00
- f. Illinois Circle, from the north line of 31st Street South, north to and including the cul-de-sac, Janzen Second Addition - north of 31st Street South. (472-83106/765585/490696) Does not affect existing traffic. City Council approval date: 6/8/99. (District IV) - \$46,000.00
- g. Water Supply Line to serve Chapel Hill and Dillon 12th Additions - north of 13th, east of Greenwich. (448-89173/734920/470590) Traffic to be maintained during construction. City Council approval date: 7/15/97. (District II) - \$362,700.
- h. Water Supply Line to serve Balthrop Addition - along Greenwich and 13th Street. (448-89023/734921/470591) Traffic to be maintained through construction. City Council approval date: 3/19/96. (District II) - \$56,000

Motion -- carried

Knight moved that the Preliminary Estimates be approved and filed. Motion carried 7 to 0.

EASEMENT

EASEMENT AND DEDICATION.

- a. Easement by U-Needa Self Storage, L.L.C. and the City of Wichita dedicating five-feet of Water Department's Northwest Water Facility on 21st Street North.

Motion -- carried

Knight moved that the document be received and filed. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 49

PETITIONS

PETITION TO CONSTRUCT A SANITARY SEWER TO SERVE FOUR UNPLATTED TRACTS SOUTH OF KELLOGG, WEST OF MAIZE. (District V)

Agenda Report No. 99-732.

The Petition was signed by eight owners representing 100 percent of the improvement district. The project will provide sanitary sewer service to four single-family homes.

Estimated cost is \$36,000. Funding source is special assessments.

Motion --
-- carried

Knight moved that the Petitions be approved and the Resolutions be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0

RESOLUTION NO. R-99-293

A Resolution of findings of advisability and Resolution authorizing construction of Lateral 435, Southwest Interceptor Sewer (south of Kellogg, west of Maize), 468-83012, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

PETITION FOR WATER DISTRIBUTION SYSTEM TO SERVE PART OF RIVERSIDE ACRES ADDITION, EAST OF ARKANSAS AVENUE, NORTH OF 37TH STREET NORTH. (District VI)

Agenda Report No. 99-733.

On April 14, 1998, the City Council approved a Petition to extend City water service to an area east of Arkansas Avenue, north of 37th Street North. Two additional Petitions have been submitted to expand the improvement district to serve two single-family homes. The signatures on the Petitions represent 100% of the improvement districts.

The two homes are currently served by private water wells. An area of contaminated groundwater is located nearby.

The two additional Petitions total \$3,800. The total project budget of \$410,000 will not be increased. The funding source is special assessments.

Motion -- carried

Knight moved that the Petitions be approved and the Resolutions be adopted. Motion carried 7 to 0

RESOLUTION NO. R-99-292

A Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89255 (east of Arkansas Avenue, north of 37th Street North) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

STREET CLOSURES

CONSIDERATION OF STREET CLOSURES/USES.

Agenda Report No. 99-734.

On August 11, 1998, the City Council approved a project to improve 29th Street North, between Oliver and Woodlawn. The project includes widening 29th Street to three lanes, adding decel lanes at Beacon Hill, Meadow Oaks and the Pioneer Balloon Headquarters, as well as adding sidewalks and landscaping. The KANEB Pipe Line Company has an 8" gas line that will need to be relocated because of the project. KANEB is requesting that the City Council allow them to close the south (eastbound) lane of traffic on 29th Street during off-peak hours to relocate the line.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 50

KANEB has researched various methods of gas line relocation at the site, and has determined that the most cost effective option will be the traditional "open trench" approach. Closing one lane of 29th Street between 9 a.m. and 4 p.m., as well as after 6 p.m. and any time on weekends (if necessary) will provide KANEB the area needed to stage equipment and store materials.

The south (eastbound) lane is proposed for Closure. One lane/one-way traffic will be maintained westbound on the north side of 29th Street during construction times. KANEB is prepared to begin relocation the week of August 9th or 16th, and the project is estimated to last 6 to 7 weeks. KANEB is anticipating working from west to east, and will only close the portion of 29th Street that they are working in at that particular time.

KANEB will sign the Street Closure and detour routes in accordance with MUTCD standards.

Motion --carried

Knight moved that the Street Closure be approved. Motion carried 7 to 0.

CLAIMS ALLOWED

REPORT ON CLAIMS ALLOWED - JUNE, 1999:

Robert D. Saiz	\$ 960.00
Ryverlee McCoy	\$ 84.00
Farm Bureau Claims/Frank Weber	\$2,900.00
Willie Whitmore	\$ 210.00
Laura A. Holland	\$ 453.71
Park West Plaza Assisted Living	\$ 902.00
Donald E. Fitzwater	\$ 214.00
Georgetown Village	\$1,119.03
Utilicorp United, Inc.	\$ 448.00
Kansas Gas Service	\$ 820.35
Kansas Gas Service	\$ 347.78
Joe Olden	\$1,100.00
Kansas Gas Service	\$ 349.63
Rebecca O'Malley	\$ 726.00
Ruth Covert	\$ 292.00

Motion -- carried

Knight moved that the report be received and filed.

(Item No. 17a)

HUGH WALL

HUGH WALL SCHOOL OF URBAN AND PUBLIC AFFAIRS - JTPA.

Council Member Pisciotte declared a conflict of interest and abstained from participation.

Agenda Report No. 99-735.

The City of Wichita is a Grant Recipient/ Program Administrator for the Job Training Partnership Act (JTPA) in Service Delivery Area (SDA) IV which comprises the counties of Butler, Cowley, Sumner, Harper, Kingman and Sedgwick. The Private Industry Council (PIC) of SDA IV provides policy guidance for the use of JTPA funds in this area. The City of Wichita, PIC, and the Hugo Wall School of Urban and Public Affairs, Wichita State University had a three party contract, which terminated June 30, 1999, for the Hugo Wall School to provide oversight and consulting services for JTPA related activities.

The contract before the Council would renew the oversight and consulting services agreement for one year, July 1, 1999 through June 30, 2000. Terms of the proposed contract include the Hugo Wall School's review and analysis of PIC documents and attendance by a representative of the School at PIC meetings, specified PIC committee meetings, and meetings of the Kansas Workforce Investment Partnership Council. The School is also to provide consultation with, and written recommendations to, PIC members and to facilitate a PIC planning retreat.

The maximum contract amount is \$19,000. JTPA funds are used to pay for contract services and the contract obligates no general fund moneys.

Motion --
-- carried

Knight moved that the Agreement/Contract(s) be approved and the necessary signatures be authorized. Motion carried 6 to 0. (Pisciotte abstained)

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 51

FOULSTON & SIEFKIN FOULSTON & SIEFKIN, L.L.P. FOR LEGAL SERVICES.

Agenda Report No. 99-736.

The City retained the Foulston & Siefkin, L.L.P., law firm to provide legal services for the City and two employees in connection with an employment suit filed in Federal District court, Balthazor v. Studemine, et al., Case No. 98-1142-JTM.

The original contract provided for compensation not to exceed \$9,900. The contract was amended by the City Council on October 20, 1998, to increase the compensation to \$29,900. It has become necessary to spend additional sums to continue the representation of the City in this matter. This will be the second amendment.

Amendment two is for \$20,0000. Payment will be from the tort claims fund.

Motion --
-- carried

Knight moved that the Agreement/Contract(s) be approved and the necessary signatures be authorized. Motion carried 7 to 0.

LINCOLN ST. BRIDGE LINCOLN STREET BRIDGE AT DRY CREEK. (Districts II and III)

Agenda Report No. 99-737.

The 1999 Capital Improvement Program includes a project to rehabilitate the Lincoln Bridge over Dry Creek (CIP B-9615), which was approved by the City Council on May 19, 1998.

The Kansas Department of Transportation (KDOT) has agreed to participate in the project funding. The City will take bids for the project. A City/State Agreement has been prepared.

The existing bridge has experienced significant deterioration, which needs to be repaired. Construction is expected to begin in late fall and be completed next spring.

The estimated project cost is \$670,000. KDOT will pay 80 percent of the cost of construction and construction engineering. The funding source for the City share is General Obligation Bonds.

Motion --
-- carried

Knight moved that the Agreement/Contract(s) be approved and the necessary signatures be authorized. Motion carried 7 to 0.

55TH ST. SO. BRIDGE 55TH STREET SOUTH BRIDGE AT BIG SLOUGH. (District IV)

Agenda Report No. 99-738.

The 1999 Capital Improvement Program includes a project to replace the 55th Street South Bridge at Big Slough (CIP B-9602), which was approved by the City Council on May 19, 1998.

The Kansas Department of Transportation (KDOT) has agreed to participate in the project funding. The City will take bids for the project. A City/State Agreement has been prepared.

The existing bridge has a reduced sufficiency rating that indicates major repairs or replacement will be required within the next ten years. Construction is expected to begin in late fall and be completed next spring.

The estimated project cost is \$615,000. KDOT will pay 80 percent of the cost of construction and construction engineering. The funding source for the City share is General Obligation Bonds.

Motion --
-- carried

Knight moved that the Agreement/Contract(s) be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 52

33RD ST. BRIDGE

33RD STREET BRIDGE AT CHISHOLM CREEK. (District VI)

Agenda Report No. 99-739.

The 1999 Capital Improvement Program includes a project to rehabilitate 33rd Street North Bridge over the West Drain (CIP B-9213), which was approved by the City Council on May 19, 1998.

The Kansas Department of Transportation (KDOT) has agreed to participate in the project funding. The City will take bids for the project. A City/State Agreement has been prepared.

The current sufficiency rating of this bridge indicates that major repairs will be required to help preserve the structural integrity of the existing bridge. Construction is expected to begin in late fall and be completed next spring.

The estimated project cost is \$645,000. KDOT will pay 80 percent of the cost of construction and construction engineering. The funding source for the City share is General Obligation Bonds.

Motion --
-- carried

Knight moved that the Agreement/Contract(s) be approved and the necessary signatures be authorized. Motion carried 7 to 0.

MAPLE STREET

MAPLE STREET, MAIZE ROAD TO 119TH STREET WEST. (District V)

Agenda Report No. 99-740.

The 1999 Capital Improvement Program includes constructing an improved four-lane roadway on Maple from west of Maize Road to 119th Street West (CIP MS-9204), which was approved by the City Council on May 19, 1998.

The Kansas Department of Transportation (KDOT) has agreed to participate in the project funding. The City will take bids for the project. A City/State Agreement has been prepared.

Continued development in the area will increase the traffic volume on Maple. Construction is expected to begin in late fall.

The estimated project cost is \$2,500,000. KDOT will pay 80 percent of the cost of construction and construction engineering. The funding source for the City share is General Obligation Bonds.

Motion --
-- carried

Knight moved that the Agreement/Contract(s) be approved and the necessary signatures be authorized. Motion carried 7 to 0.

KGS FACILITIES

RELOCATION OF KANSAS GAS SERVICE FACILITIES ON 13TH EAST OF ROCK ROAD. (District II)

Agenda Report No. 99-741.

On April 20, 1999, the City Council approved a project to widen 13th Street North from Rock Road to the east City limits. Two drainage structures will be constructed under 13th to improve drainage in the area. An existing 8" Kansas Gas Service (KGS) gas line will have to be relocated to accommodate the widening of the easternmost structure.

Kansas Gas Service's existing facilities are currently located in a private easement outside the street right-of-way. Because of this, the cost to relocate the facilities must be paid by the City.

The cost to relocate the KGS line is estimated at \$14,872. Funds are available in the project account (funded by GO bonds) to provide for this expense.

Motion --
-- carried

Knight moved that the Agreement/Contract(s) be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 53

BROADWAY

CONSTRUCTION ENGINEERING - BROADWAY, KELLOGG TO DOUGLAS. (Districts I and VI)

Agenda Report No. 99-742.

On April 7, 1998, the City Council approved an Agreement with the Kansas Department of Transportation (KDOT) for reconstructing Broadway, from Kellogg to Douglas. KDOT had agreed to take bids for the project and participate in the project's funding. On March 16, 1999, the City Council approved a Supplemental Agreement allowing the City to take bids for the project. An Agreement between the City and KDOT for construction engineering services has been prepared.

The substandard four-lane road in Broadway will be replaced with four-lane arterial and aesthetic enhancements. Construction is expected to begin in August and be completed by next spring.

The estimated construction cost is \$1,900,000. KDOT will reimburse the City for 80 percent of the cost for construction engineering services, which has an upper limit of \$164,804.04. The funding source for the City's share is General Obligation Bonds.

Motion --
-- carried

Knight moved that the Agreement/Contract(s) be approved and the necessary signatures be authorized. Motion carried 7 to 0.

25TH ST. BRIDGE

CONSTRUCTION ENGINEERING - 25TH STREET BRIDGE AT CHISHOLM CREEK. (District VI)

Agenda Report No. 99-743.

On May 3, 1994, the City Council approved a project to remove the existing bridge on 26th Street and replacing it with a new bridge on 25th Street. The project is financed by a combination of City General Obligation Bonds and Federal Grants administered by the Kansas Department of Transportation (KDOT). On April 20, 1999, the City Council approved the project for construction. An Agreement between the City and KDOT for construction engineering services has been prepared.

The existing bridge has a rating of 48.6 on a scale of 100. It is in need of major rehabilitation or replacement because of the deteriorated condition of the concrete deck, the steel support beams, and the wood pilings. Construction is expected to begin in August and be completed in late fall.

KDOT will reimburse the City for 80 percent of the cost for construction engineering services, which has an upper limit of \$44,817.55.

Motion --
-- carried

Knight moved that the Agreement/Contract(s) be approved and the necessary signatures be authorized. Motion carried 7 to 0.

AUBURN HILLS ADDN.

DESIGN SERVICES - AUBURN HILLS ADDITION, AUBURN HILLS COMMERCIAL ADDITION, AND AUBURN HILLS COMMERCIAL SECOND ADDITION, SOUTH OF MAPLE, EAST OF 135TH STREET WEST. (District V)

Agenda Report No. 99-744.

The City Council approved the Auburn Hills Addition, Auburn Hills Commercial Addition, and Auburn Hills Commercial 2nd Addition plats on May 17, 1994.

The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond financed improvements in the Auburn Hills, Auburn Hills Commercial, and Auburn Hills Commercial 2nd Additions. Per Administrative Regulation 7a, staff recommends the selection of Baughman because Baughman provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$58,800, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract(s) be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 54

PEBBLEBROOK ADDN. DESIGN SERVICES - PEBBLEBROOK ADDITION, NORTH OF PAWNEE, WEST OF WEBB.
(District II)

Agenda Report No. 99-745.

The City Council approved the Pebblebrook Addition plat on June 15, 1999.

The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond financed improvements in the Pebblebrook Addition. Per Administrative Regulation 7a, staff recommends the selection of Baughman because Baughman provided preliminary engineering services for the platting of the subdivision and can expedite plan preparations.

Payment will be on a lump sum basis of \$39,900, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract(s) be approved and the necessary signatures be authorized. Motion carried 7 to 0.

AUBURN HILLS STAKING AND CONSTRUCTION ENGINEERING SUPPLEMENTAL SERVICES FOR AUBURN HILLS SEVENTH, EIGHTH, AND NINTH ADDITIONS, ALONG 135TH STREET WEST, SOUTH OF MAPLE. (District V)

Agenda Report No. 99-746.

The City Council approved the Auburn Hills 7th, 8th, and 9th Additions plats on January 26, 1999. On March 30, 1999, the City approved an Agreement with Baughman Company, P.A. to design the improvements. The Design Agreement with Baughman requires Baughman to provide construction engineering services if requested by the City.

The proposed Supplemental Agreement between the City and Baughman provides for the staking and construction engineering services for the improvements in Auburn Hills 7th, 8th, and 9th Additions. Due to the current workload created by previous projects, City crews are not available to perform the construction engineering services for this project.

Payment will be on a lump sum basis of \$14,200, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract(s) be approved and the necessary signatures be authorized. Motion carried 7 to 0.

BUDGET ADJ. OFFICE OF PROPERTY MANAGEMENT.

Agenda Report No. 99-747.

The Property Management Special Revenue Fund is a self-sustaining special revenue fund. The management and maintenance of nonproject related City properties is paid for from this fund. Some of these properties include the City Hall Parking Garage, the Eaton Hotel, the Farm and Art Market and Victoria Park apartments.

When the 1999 budget was adopted, it did not envision inclusion of the Farm and Art Market or oversight of the Eaton beyond June 1. City Council action of January 12, 1999 approved an interim budget, net of personal services, of \$46,730 for the Farm and Art Market when the hiring of the facility manager was approved in January 1999. Operating expenses for the property have averaged approximately \$10,000 per month. There have also been several nonroutine charges including tenant improvements and special janitorial and maintenance items. It is estimated that an additional \$55,000 is needed at this time. In addition, Eaton property costs were originally budgeted through May. With the transfer of responsibility delayed, an additional \$55,000 is required.

Property Management's contingency account contains sufficient funds to meet the needs noted above. When the 1999 Revised Budget is loaded in early September, the new budgetary levels will satisfy funding needs. Total funds required at this time total \$110,000.

Motion --
-- carried

Knight moved that the budget adjustments be authorized and carryover to the 1999 Revised Budget be allowed where appropriate. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 55

BUDGET ADJ.

CENTURY II AIR HANDLER RENOVATION. (District I)

Agenda Report No. 99-748.

Several areas in Century II do not receive adequate quantities of air delivery. Public Works' staff has embarked on a project to perform air handler modifications. The modifications will improve air circulation and delivery of heating, cooling and ventilation throughout Century II. Funds for this project need to be reallocated.

The 1999 Adopted budget includes \$235,000 for this project. The budgeted funds are allocated as \$200,000 in Contractuals and \$35,000 in Capital. A total of \$229,500 is needed in Contractuals and \$5,500 in Capital. A Budget Adjustment is needed to move \$29,500 from Capital to Contractuals. Budget Adjustments greater than \$10,000 require Council approval.

Funds in the amount of \$235,000 are budgeted for this project in the General Fund Appropriated Reserves.

Motion -- carried

Knight moved that the budget adjustment be approved. Motion carried 7 to 0.

FUNDING REQUEST

REQUEST FOR FUNDING - PARTICIPATION WITH SEDGWICK COUNTY.

Agenda Report No. 99-749.

The City's agreement with the Union Pacific Railroad provides specific dollar allocations with the abandonment of trackage and the rail elevation project. Likewise, the City has been designated funding from the Federal and State governments for rail improvements. Sedgwick County has requested the City share these monetary allocations on a percentage basis.

Certain agreements have been negotiated with Union Pacific Railroad in conjunction with the merger to mitigate community impacts. These agreements provide for land abandonment and cash allocations – subject to various street closure governmental actions. In addition, through the efforts of Representative Todd Tihart, a Federal allocation of approximately \$25 million has been awarded from the Transportation Efficiency Act for the 21st Century highway program. Recently, with the Transportation 2000 State Highway Act, the Governor approved a \$50 million allocation towards the rail elevation project. The County is seeking a portion of these allocations in an amount of 7.2 percent share.

Subject to the various conditions that may be imposed by the Federal and State governments and the final allocations from the U.P.Railroad, the City Council has the authority to share these funds with Sedgwick County for the purposes designated within the respective allocations. The final dollar allocations, with the exception of the Transportation 2000 grant from the State, are not yet known.

Motion --
-- carried

Knight moved that the Agreement be approved, subject to the terms and conditions to be negotiated., and the necessary signatures be authorized. Motion carried 7 to 0.

PARATRANSIT VANS

PURCHASE OF PARATRANSIT VANS.

Agenda Report No. 99-750.

On December 15, 1998 the City Council passed Resolution No. R-98-524 that authorized the funding of local match to purchase eight (8) paratransit vans for the provision of paratransit services by Wichita Transit. The vans to be purchased are replacements (7) and expansion (1) for 1994 and 1995 vans that have exceeded federal useful-life standards. Wichita Transit expects to complete the van purchase by November 30, 1999.

The State selected ElDorado National of Salina, Kansas to supply the paratransit vans for the State through a competitive bid process. ElDorado National has guaranteed paratransit van prices. Wichita Transit is qualified to purchase eight vans at this guaranteed price.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 56

The paratransit vans will be purchased with grants from the FTA (80%) and City (20%). Upon approval of WT's State Transit grant for this year, KDOT funds may be substituted in lieu of the City's match. The cost per van, with accessories, will be \$45,000.

Motion -- carried

Knight moved that the purchase be approved and the necessary signatures be authorized. Motion carried 7 to 0.

NORTHWEST SEWER

DESIGN CONTRACT FOR NORTHWEST SEWER MASTER PLAN – SEWAGE TREATMENT PLANT (STP) #2 IMPROVEMENTS.

Agenda Report No. 99-751.

Northwest Wichita has been experiencing significant growth and development in recent years. Due to the magnitude of the development, the sanitary sewer system in this area had limited capacity to handle additional growth. In March 1997, the City Council authorized Staff to retain professional engineering services to develop a master sewer plan for this area to address current and future sewer system needs. On January 19, 1999, the City Council approved a plan calling for a new sewage treatment plant and other improvements to serve the northwest area of Wichita.

Included in all alternatives of the master plan were improvements to the City's existing Sewage Treatment Plant #2. Those improvements to STP#2 are to include replacement of the gaseous chlorine disinfection system, rehabilitation of the headworks lift station, influent piping replacement, and primary/secondary clarifiers. The cost of these improvements was estimated to be \$9 million.

After City Council approval of the Northwest Sewer Master Plan alternative, Staff developed a Request for Proposals (RFP) for design improvements to STP#2. This RFP was mailed to engineering firms with the expertise to perform such work. The City received responses to the RFP from: Camp, Dresser & McKee; Black & Veatch; Mid Kansas Engineering Consultants; and Professional Engineering Consultants/Brown & Caldwell. The City's Staff Screening & Selection Committee heard presentations by each of the respondents (Black & Veatch withdrew prior to the interviews) and unanimously recommended the firm of Camp, Dresser & McKee (CDM) to perform the work.

Staff has negotiated a Contract with CDM for design of the STP#2 improvements, bidding services, and construction observation services in the amount not to exceed \$1,342,706. In addition to the improvements recommended by the Northwest Sewer Master Plan, Staff asked CDM to include design of additional odor control facilities at STP#2 in their Contract. Should the City Council elect to proceed with these optional services (included in the Contract submitted for approval), it adds \$145,000 to the cost of engineering services. The estimated cost of constructing additional odor control facilities at STP#2 ranges from \$320,000 to \$1,100,000 depending on technology selected. These facilities would have an annual operating cost ranging from \$20,000 to \$80,000.

Staff also included services to develop a computerized operation and maintenance manual for the new disinfection facility that can be expanded to incorporate other plant operational units. The cost for this optional service (included in Contract submitted for approval) is \$26,000. Finally, there is a \$50,000 "contingency" for additional engineering services on this project to be used only with prior City approval.

The Northwest Sewer Master Plan document estimated that improvements to STP#2 would cost approximately \$9 million. Additional odor control facilities may add up to \$1.1 million to that estimate. The improvements are currently included in CIP Project number S-324 with an authorization of \$29 million. The proposed CIP has subdivided the Northwest Sewer Master Plan related projects. When the revised CIP is approved, this project will be designated S-513 with an authorization of \$8.6 million. Until the actual cost of facilities is better defined by engineering and competitive bids, Staff does not recommend modifying the CIP authorization.

The City Council has the authority to approve Contracts in excess of \$10,000. The Contract with Camp, Dresser & McKee has been reviewed and approved as to form by the Law Department.

Motion --
-- carried

Knight moved that the Agreement/Contract(s) be approved and the necessary signatures be authorized; the Resolution be adopted; and the Notice of Intent to Publish be approved. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 57

RESOLUTION NO. R-99-294

A Resolution finding it to be necessary and declaring the intention to construct, reconstruct, alter, repair, improve, extend, and enlarge the City of Wichita, Kansas, Water & Sewer Utility Sewage Treatment Plant 2, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

IRB STEWART PROP. EXTENSION OF INDUSTRIAL REVENUE BOND LETTER OF INTENT – STEWART PROPERTIES, INC. (District II)

Agenda Report No. 99-752.

On February 9, 1999, City Council approved a six-month Letter of Intent to issue tax-exempt Industrial Revenue Bonds ("IRBs") in an amount not-to-exceed \$5.5 million to Stewart Properties, Inc. for the purpose of financing the acquisition and rehabilitation of the Gouverneur Manor Apartments, located at 7205 East Lincoln in southeast Wichita. Stewart Properties also intends to apply to the Kansas Department of Commerce and Housing for an allocation of housing tax credits to be used in conjunction with this project. Stewart Properties is now requesting a one-year extension on their current Letter of intent which will expire on August 9th, 1999.

The purpose of the one-year extension of the Letter of Intent is Stewart Properties, Inc. must wait until early in 2000 to receive allocation of private activity bonds from the Kansas Department of Commerce and Housing. The one-year extension of the Letter of Intent will expire August 3, 2000.

No financial considerations in conjunction with the extension.

Motion --
-- carried

Knight moved that the one-year extension of the Letter of Intent be approved and the necessary signatures be authorized. Motion carried 7 to 0.

SEWER REPAIRS PUBLIC EXIGENCY PROJECT – SANITARY SEWER REPAIRS. (District I)

Agenda Report No. 99-753.

A defective connection to the sewer main was recently discovered under the residence and garage of 857 N. Oliver. The connection, which needs to be replaced, actually belongs to the residence at 848 N. Dellrose. The sewer is located in the easement west of Oliver, south of 8th Street.

To replace the defective connection under the 857 N. Oliver location, division crews will have to excavate very near the foundation. The City sewer main appears to be in relatively good condition, but is 72 years old. The division's concern with excavating is that once the sewer pipe is disturbed, it might easily break requiring replacement. Any pipe replacement could require excavation underneath the residence. Staff wishes to avoid the possibility of putting the property at risk.

Sewer Maintenance requests that the sewer be emergency lined with a cured-in-place liner prior to the repair of the connection for the Dellrose residence. The lining would help assure that no damage would occur to the 857 N. Oliver property during the repair. Lining the sewer pipe now would also help prevent future problems that might occur because of the house being located over the City sewer.

Continued televising has shown indications of additional defects north of 8th Street. Due to the high cost of the initial setup for a lining project, Staff recommends lining the pipe both north and south of 8th Street. This would provide an economical advantage in that the contractor would already be set to work in this area and could address all defects that were discovered.

Staff has negotiated with Insituform Plains, Inc., the only cured-in-place pipelining company in this area. Their proposal is \$48,105 and they are available to start immediately. The City Manager approved proceeding with the project on July 19, 1999, under City Ordinance 2.64.020.5.

Capital Improvement Program, Reconstruction of Sanitary Sewers (CIP #S-4) has a budget of \$2,300,000 for 1999. This repair will be funded from Sewer Utility Revenues and Reserves and/or a future revenue bond issue.

Motion -- carried

Knight moved that the public exigency approval be affirmed. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 58

(Item No. 24)

VENDOR SELECTION

JANITORIAL SERVICE, SELECTION OF VENDOR – POLICE SUBSTATIONS.

Agenda Report No. 99-754.

The four (4) police substations require daily janitorial service. To obtain the most qualified service at a cost that would be most beneficial to the City, a request for proposal was developed and sent out for bids; a total of three (3) vendors responded.

A selection committee reviewed the bid proposals. Each proposal was evaluated on the basis of qualifications, experience, references, and costs. Based on this criteria, Kleenco was selected.

The contract for janitorial services for the four (4) police substations will be \$487.50 per month, per station. Funds are budgeted for this purpose in the Police Department budget.

The contract will be for one year with an annual renewal option for an additional two years.

Council Member Cole

Council Member Cole expressed concern regarding health insurance for employees of the vendor. City specifications should indicate a requirement for vendors to provide health insurance to all employees.

Motion --
-- carried

Knight moved that the selection of Kleenco for janitorial services and the necessary signatures be authorized. Motion carried 6 to 1. (Cole; No)

BRIDGEPORT 1ST

DESIGNATION OF REDEVELOPER FOR TRACT C, LOT 7, BLOCK 2, BRIDGEPORT INDUSTRIAL PARK, FIRST ADDITION. (District VI)

Agenda Report No. 99-755.

The City of Wichita, in the late 1970's determined that there was insufficient heavy industrial land available for development within the Wichita city limits. Responding to this need, the City purchased property in the North Industrial Corridor through the Urban Renewal Act and redeveloped the area with new utility lines and streets into the Bridgeport Industrial Park Additions I, II and III.

Leonard Hicks, a Wichita small business owner of Castle Door & Hardware, Inc., presently leases space to provide sales/office/fabrication/storage space for his door and window sales, service, fabrication, and installation business. The Hicks have offered to purchase Tract "C", Lot 7, Block 2, Bridgeport Industrial Park I and construct a metal building to house their business. This new facility will provide multi-use space for office, showroom, fabrication and warehouse uses.

The Hicks have offered to purchase Tract "C" for \$20,789.87 plus pay remaining specials totaling \$4,075.08 over the remaining life of the specials. The lot contains approximately 22,477 square feet (.52 acre) and the offer is for \$.92 per sq. ft. to be paid at closing and \$.1813 per sq. ft. to be paid over the remaining life of the Special Assessments for a total of \$1.1013 per sq. ft. Recent sales in Bridgeport I have ranged from \$.61-to-\$.79 per gross square foot.

There is a broker involved in the transaction and a six percent commission will be paid out of the proceeds of the sale of the property. Castle Door is requesting the City indemnify them against existing environmental problems. They are not requesting any tax abatement/exemption in conjunction with this sale.

Castle Door proposes to construct a steel building for its door and window sales, fabrication and service company. The new facility will provide office and showroom as well as fabrication and warehouse areas. They do not intend to store any equipment outside. Castle Door employs 3 full time people and with the amount of expansion and new construction, anticipates hiring additional employees to fabricate, install, maintain, and repair commercial doors and windows. The use is compatible with other uses in the area.

The proceeds, net of closing costs, commissions and costs related to the parcel will be returned to the City's CDBG program in accordance with URA requirements.

Motion --
-- carried

Knight moved that the designation of redeveloper, budgets, and contracts be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 59

PROPERTY ACQ.

ACQUISITION OF PROPERTY N/E TYLER ROAD/K-42.

Agenda Report No. 99-756.

A need exists for additional industrial type land to further the efforts of the City's economic development efforts. With the limited public-owned land left in the Bridgeport area and adjacent to the Airport, Staff has been searching for suitable industrial zoned land which could be used to market and attract new and expanding businesses in Wichita.

A site (an approximate 26+ acre site) has been identified adjacent to the Mid Continent Airport which could become an attractive and conveniently located industrial site for potential businesses requiring airport access. This site has been platted but is not developed and available for acquisition. Because this land abuts the airport property and could be developed with taxiway access, the site will benefit the City's economic development needs.

The proposed site can be purchased for \$0.75 square foot. Based on recent sales of nearby industrial sites, this purchase price is considered reasonable and competitive. Comparable sales range from \$0.81 - \$1.25. An evaluation of this land supports the purchase price and, with the access to the airport will be increased in value.

Motion --
-- carried

Knight moved that the purchase be approved and the necessary signatures be authorized; and the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance determining the necessity for acquiring certain real property and providing that the cost of said acquisition shall be paid by the City of Wichita, Kansas, at large through the issuance of general obligation bonds of the City of Wichita, Kansas, introduced and under the rules laid over.

PROPERTY ACQ.

ACQUISITION OF AN EASEMENT FOR A BICYCLE/PEDESTRIAN PATH ALONG CHISOLM CREEK. (District I)

Agenda Report No. 99-757.

On October 20, 1998, the City Council approved a bicycle/pedestrian path from Grove Park to Oliver as part of the Park Capital Improvement Program. The proposed path will connect Grove Park and Chisolm Creek Park. A portion of the path follows the south bank of Chisolm Creek through property owned by the Center for the Improvement of Human Functioning necessitating the acquisition of a thirty-foot easement between the creek and the adjacent field.

The subject tract contains approximately two acres and is unimproved. The property owner has agreed to grant the easement to the City for \$5,000. The owner will receive an additional \$4,000 to landscape their adjacent property in such a manner as to discourage trespassers. The City will maintain the path and with the seller's permission, post the adjacent property as no trespassing.

The funding source is General Obligation Bonds. The budget of \$9,500 includes \$9,000 for the acquisition, and \$500 for acquisition and closing costs, title insurance, etc. This is the only acquisition required for the project.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY DISP.

NORTHWEST CORNER OF LINCOLN AND HYDRAULIC. (District I)

Agenda Report No. 99-758.

An offer of \$800 has been received from QuikTrip for a portion of the City-owned property located at the Northwest corner of Lincoln and Hydraulic. The property was acquired in 1975 in conjunction with the construction of I-135 and the planned widening of adjacent streets. The property is a remnant from the widening. The site contains approximately 717 square feet. QuikTrip needs this small tract to provide sufficient turning radius for their existing facility.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 60

The offer of \$800 calculates to approximately \$1.13 per square foot. QuikTrip acquired a similar remnant at this site for \$.53 per square foot. The City has sold other remnants for \$.15-to-\$.75 per square foot. The property by itself does not meet the current square footage requirements for a buildable site. While no plans exist to widening Hydraulic at this time, there is sufficient right-of-way without this tract to allow future expansion. The parcel is currently not assessed by the County.

The City will receive cash consideration from the sale of the property at closing. Upon sale, this property will return to the tax rolls.

Motion --
-- carried

Knight moved that the sale of the property and Contract be approved, and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY DISP.

NORTHEAST CORNER OF HILLSIDE AND GILBERT. (District II)

Agenda Report No. 99-759.

An offer of \$30,000 has been received from Chris Arensberg and Joseph Chang for a portion of the City-owned parcel located on the east side of Hillside between Gilbert and Orme. The tract, consisting of 24 lots, was acquired from several owners in 1975 in conjunction with the construction of the Hillside-Kellogg interchange. The site was originally developed with residential properties. These were removed, some of property along the west edge was utilized for right-of-way and access to Hillside was deleted. The site is zoned TF-3, Two Family. It was approved for surplus by City Council action on November 7, 1995. Since that time, it has been advertised, signed and included in mailings. The City's ownership interest is actually a permanent easement. The purchaser has obtained the underlying ownership interests through their own efforts. The offer is for the south 10 lots in the parcel. After reservation for future right-of-way needs, the purchase parcel contains approximately 29,375 square feet.

The offer of \$30,000 calculates to approximately \$1.02 per square foot. The entire 24-lot tract was appraised at \$1.09 per square foot assuming fee ownership. The purchasers intend to build a medical office building on the site. Access will be from Gilbert with no direct access to Hillside. The purchasers are responsible for rezoning, platting, etc.

The City will receive cash consideration from the sale of the property at closing. As KDOT participated financially in the original acquisition of the site, part of the funds will be refunded to them in the same ratio as their original acquisition. Upon sale, this property will return to the tax rolls.

Motion --
-- carried

Knight moved that the sale of the property and Contract be approved, and the necessary signatures be authorized. Motion carried 7 to 0.

ORDINANCES

SECOND READING ORDINANCES: (First read July 27, 1999)

a. Industrial Revenue Bonds – McCormick-Armstrong Co., Inc. (District V)

ORDINANCE NO. 44-304

An Ordinance of the City of Wichita, Kansas, authorizing the issuance of \$2,300,000 aggregate principal amount of Industrial Revenue Bonds, Series VII, 1999 (McCormick-Armstrong Co., Incorporated) for the purpose of providing funds to purchase, acquire, rehabilitate and install certain machinery and equipment in an existing manufacturing facility; prescribing the form and authorizing execution of a trust indenture by and between the City and The Southwest National Bank of Wichita, as trustee; prescribing the form and authorizing the execution of a lease agreement by and between the City and McCormick-Armstrong Co., Incorporated; approving the form of a guaranty agreement; authorizing the execution of a bond purchase agreement by and between the City, McCormick-Armstrong Co., Incorporated and GE Capital Public Finance Inc., Minneapolis, Minnesota, as purchaser of the Bonds, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 61

PLANNING AGENDA

V-2180

V-2180 - REQUEST TO VACATE A PORTION OF A BUILDING SETBACK LOCATED NORTH OF 21ST STREET AND EAST OF TYLER. (District V)

Agenda Report No. 99-760.

MAPC Recommendation: Approve Vacation of a portion of a building setback.
Staff Recommendation: Approve Vacation of a portion of a building setback.

The applicant is requesting to vacate the 30 foot building setbacks along the western (to 10 feet), southern (to 20 feet) and southeastern (to 25 feet) property lines to allow for the construction of self-storage units. This is part of the Westwind II Commercial C.U.P., which was amended in 1998 to split Parcel 4 into two parcels and to permit self-storage units on the newly created parcel.

The amendment to the C.U.P. reduced the building setbacks on the C.U.P. as the applicant is requesting to vacate on the plat, except that the southeastern setback was approved at 30 feet. An administrative adjustment has been approved to reduce the building setback along the southeastern property line to 25 feet on the Westwind II Commercial C.U.P.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, subject to the applicant submitting an administrative adjustment to reduce the 30 foot building setback along the southeastern property line on the C.U.P. to 25 feet. No written protests have been filed.

Motion --
-- carried

Knight moved that the vacation be approved and the necessary signatures be authorized to sign. Motion carried 7 to 0.

A 99-24

A-99-24 - RESOLUTION OF INTENT FOR UNILATERAL ANNEXATION OF PROPERTY LOCATED SOUTH AND WEST OF 45TH STREET NORTH AND WEBB ROAD.

Agenda Report No. 99-761.

This is the first phase of a three-phase annexation. The subject area of this first phase consists of approximately 120 acres and 71 properties (67 are platted and 4 are unplatted). The land-use pattern consists of 51 residential tracts, 19 vacant tracts and one (1) church tract. The majority of the area is zoned "SF-20" Single-Family Residential with a small area zoned "LI" Limited Industrial. Those areas zoned "SF-20" will convert to the "SF-6" Single-Family Residential district upon annexation while the property zoned "LI" Limited Industrial will retain its existing "LI" Limited Industrial zoning. Furthermore, a house is located on the industrial lot and, if established prior to County zoning, will be permitted to retain its non-conforming rights to continue/expand under the zoning code. The land proposed for annexation is located within the areas identified as "low-density residential" and is within the "new growth" boundary found in the Land Use Guide Map in the Wichita-Sedgwick County Comprehensive Plan: Preparing for Change.

The proposed annexation will allow for the continuation of the City's growth in the northeast part of Wichita. The residential properties are served by 2 to 4 inch Sedgwick County Rural Water District #1 water lines running throughout the area, with a 4 to 6 inch main located in along Webb Road. The City has a 20- inch water main in the Webb Road right-of-way up to the southeast corner of the annexation area, but has no C.I.P. projects to extend this line further north. Pursuant to the requirements of Kansas Statutes Annotated 12-527, the City of Wichita must negotiate with Rural Water District #1 to acquire title to the water distribution system serving the annexation area.

To proceed with this annexation, the Council must adopt a resolution establishing a hearing date. Once the hearing date is established, a plan for extension of municipal services to the area will be placed on file in the City Clerk's Office. The Service Extension Plan outlines the City's intention to provide major municipal services to the area.

The total appraised value of the land and improvements proposed for annexation is \$2,370,400 resulting in an annual City Ad Valorem tax revenue of approximately \$8,536. Major municipal services to be provided to this area upon annexation are street maintenance, ditch cleaning, culvert cleaning, fire protection, police protection, building code enforcement, and health code enforcement. The operating departments currently delivering these services will fund them upon annexation. Major municipal services, such as local street improvements, water and sewer service,

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 62

may be provided to this area upon request of the property owners. The cost of municipal services requested by the property owners will be distributed among the City at large and the benefiting property owners according to current City policies.

In the absence of an annexation request from a property owner, State law requires the adoption of a resolution by the City Council indicating the City's intent to annex, a description of the property to be annexed, and a notice of the time and place for a public hearing to consider the matter. Copies of the resolution must be sent (via certified mail) to all owners of the properties proposed for annexation within 10 days of adoption. Also, the resolution must be published once in the official City newspaper not less than one week and not more than two weeks prior to the public hearing date. A report stating the plans for the extension of municipal services to the proposed annexation area must also be placed on file for public inspection in the City Clerk's Office.

Motion --
-- carried

Knight moved that the service plan be approved and the Resolution setting the hearing date be adopted.
Motion carried 7 to 0.

RESOLUTION NO. R-99-295

A Resolution declaring an interest in, and establishing a public hearing date for considering the unilateral annexation of property located west of Webb Road and south of 45th Street North to the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. A 99-24

DR 99-3

DR 99-3 - PROPOSED AMENDMENTS TO THE UNIFIED ZONING CODE CONCERNING MINIMUM LOT SIZE REQUIREMENTS IN CERTAIN RURAL ZONING DISTRICTS AND OTHER "CLEAN UP" AMENDMENTS.

Agenda Report No. 99-762.

MAPC Recommendation: Approve the amendments to the Unified Zoning Code (10-0).
Staff Recommendation: Approve the amendments to the Unified Zoning Code.

The primary issue addressed by these amendments is to allow more flexibility on lot size in the "RR", Rural Residential and "SF-20", Suburban Residential districts of unincorporated Sedgwick County where public sewer service is not available. Currently these two zoning districts have a minimum lot size per dwelling unit of two acres and 20,000 square feet respectively. However, City-County Health Department regulations along with the zoning code require a five-acre minimum lot size if a lagoon type on-site waste disposal system is required. Many building sites in the county require lagoon systems due to clay soils or high water table. One of the proposed amendments would permit dwelling units to be placed on lots smaller than five acres and be served by an on-site lagoon-type disposal system, provided that the overall density of the subdivision is no more than one lot for every five acres. The reduced-in-size lots are grouped or "clustered" together, with lots as small as two acres in size, and the remainder of the land in the subdivision. The resulting open space would have to be set aside for agricultural or common open space uses. The only way lot size could be reduced below standard minimums would be through this "cluster" provision. Without this amendment, a developer would have to file a variance with the County's Board of Zoning Appeals to create lots smaller than the five acre minimum.

Another proposed amendment would treat "rural home occupations" which do not meet standards established in the zoning code (e.g. minimum 20 acre lot, minimum 600 feet from nearest neighbor, maximum two outside employees) to be handled as "Conditional Uses" by the MAPC. This would require an easier "test" to consider the use than the current test of "undue hardship" that the Board of Zoning Appeals must use in considering a "variance" of the standards. The Conditional Use approach could also be used to consider a resident wanting to park one large truck on his premises, if the lot is less than 20 acres in size and not completely screened from view.

Another proposed amendment would allow the Metropolitan Area Planning Commission (MAPC) or the appropriate governing body to modify zoning setbacks, lot coverage, height, parking and / screening requirements if included in a filing to establish or amend a Community Unit Plan (CUP), in place of the Board of Zoning Appeals. Currently, an applicant may be required to file two separate applications, two filing fees and appear for two public hearings if the project requires a "variance" and is part of a "CUP". This provision would eliminate the need for two applications, two fees and two hearings.

CITY COUNCIL PROCEEDINGS

JOURNAL 169

AUGUST 3, 1999

PAGE 63

The MAPC held public hearings on May 27th and June 10, 1999. A land planner spoke in favor of the "cluster" amendment but requested clarified language that does appear in the amendments. The city administrator for the City of Cheney expressed some concern about the effect of the "cluster" and the "rural home occupation" changes. The MAPC voted unanimously to recommend that these changes be approved.

The proposed amendments provide staff and both governmental organizations with the ability to: be more flexible and responsive to certain development proposals; reduce the time it takes to review requests; clarify confusing language and eliminate unneeded minimum development standards.

Motion --
-- carried

Knight moved that the amendments to the Unified Zoning Code as recommended by the Metropolitan Area Planning Commission be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance providing amendments to Section I.E.; Section I.I.; Section III.B.2.d. (1); Section III. B.2.e. (1); Section III. B. 3.d. (1); Section III. B.3.e. (2); Section III.B.10.; Section III. C.2.b. (3); Section III.c.3.e. (1); Section III.D.6.a.; Section III.D.6.m.; Section III.D.6.y. (3); Section III.E.2.e. (1). (k); Section III.E.2.e. (4); Section IV.B.4.; Section IV.E.6.; Section IV. E. 7.h; Section V.I.2.; Section VII.B.2.; Section VIII.F.1. and portions of the Use Regulations Schedule in Section III.D. of the Wichita-Sedgwick County Unified Zoning Code, (June 19, 1997, Edition, as adopted by reference in City of Wichita Code Sec. 28.04.010, as amended by Ordinance 43-659, Ordinance 43-721, and Ordinance 44-098, dealing with numerous "clean-up" Amendments thereto, introduced and under the rules laid over. (DR 99-3)

EXECUTIVE SESSION

Motion --

-- carried

Knight moved that the Council recess to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending and potential litigation, legal advice, and contract negotiations; preliminary discussions relating to the acquisition of real property for public purposes; confidential data relating to the financial affairs or trade secrets of a business; and the regular meeting be resumed at 12:10 p.m. in the City Council Chambers. Motion carried 7 to 0.

RECESS

The City Council recessed at 10:54 a.m. and reconvened at 12:22 p.m.

Mayor Knight

Mayor Knight announced that no action was necessary as a result of the executive session.

ADJOURNMENT

The City Council adjourned at 12:22 p.m.

Pat Burnett CMC
City Clerk